

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA
Civil No. 4-94-15 (DSD)

Joan Valentine Mohamed
f/k/a Joan Valentine Kerr,

Plaintiff,

v.

ORDER

Unum Life Insurance Corporation
of America, a Maine corporation,
Kevin Scott Kerr, and the estate
of Ivan S. Kerr,

Defendants.

This matter is before the court on Robert B. Fine's motion to reconsider the court's order dated December 11, 2006, in which the court ordered that the civil monetary judgment entered in this case be deemed satisfied in full and authorized the clerk of court to enter a satisfaction of judgment.

In issuing the December 11 order, the court relied upon the affidavit of Mark C. McCullough, attorney of record for plaintiff Joan Valentine Mohamed, in which McCullough informed the court of a negotiated global settlement agreement among plaintiff Joan Valentine Mohamed, non-party Dawn Valentine and defendant Kevin S. Kerr. Dawn Valentine and Kevin Kerr are the beneficiaries of defendant Estate of Ivan S. Kerr, which was closed in April 2003. The settlement agreement included, among other things, the parties' exchanges of general releases of numerous judgments and a stipulation that the necessary satisfactions of judgments would be

filed in the respective courts. Mr. Fine now advises the court that on April 9, 2003, all right, title and interest in the judgment in this case in favor of defendant Estate of Ivan S. Kerr was assigned to Arthur Sund Nelson and Robert B. Fine, attorneys of record for Kevin Scott Kerr and the Estate of Ivan S. Kerr. As a result of the Assignment of Judgment, Mr. Fine asserts that Kevin S. Kerr did not have authority to satisfy the judgment entered in this case. Mr. Fine's motion is unopposed.

Based upon the Assignment of Judgment, dated April 9, 2003, and a review of the file, record and proceedings herein, and for good cause shown, **IT IS HEREBY ORDERED** that the court's order dated December 11, 2006, is vacated in its entirety, and any satisfaction of judgment entered pursuant to that order is hereby null and void.

Dated: December 20, 2006

s/David S. Doty
David S. Doty, Judge
United States District Court